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SHORTHAND REPORTING

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FILED

March 18, 2010

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF COURT REPORTING

IN THE MATTER OF

AMY STRYKER, C.C.R.

Certificate No: 30XI00226900

TO PRACTICE COURT REPORTING
IN THE STATE OF NEW JERSEY

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Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Court Reporting (hereinafter the "Board") upon its review of information that the respondent Amy Stryker, C.C.R., had failed to complete a minimum of fifteen (15) credits of continuing court reporting education courses during the period of July 1, 2006 to June 30, 2008 required for biennial license renewal pursuant to N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1 and 7.2. The Board has reviewed relevant documents on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a certified court reporter in the State of New Jersey and has been a certificate holder at all times relevant hereto.

2. N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1(a) require that certificate holders complete fifteen (15) continuing education credits for biennial certification renewal. N.J.A.C. 13:43-7.1(a) specifically requires that the certificate holder complete the required credits during the preceding biennial period. Therefore, for the biennial renewal period of 2008-2010, certificate holders were required to complete fifteen (15) continuing education credits during the period of July 1, 2006 to June 30, 2008.

3. In or about January 2009, the Board initiated a random audit of renewal applications for the 2008-2010 period, asking those randomly selected certificate holders to submit proof with regard to the satisfaction of continuing education requirements for the biennial renewal period, i.e., fifteen (15) credits of continuing education.

4. Respondent submitted information which indicated that she had completed eight (8) of the requisite continuing education credits during the allotted time period of July 1, 2006 to June 30, 2008. She also had a carryover of five (5) credits

from the 2006-2008 renewal period as authorized by N.J.A.C. 13:43-7.2(c). Therefore, respondent submitted proof of completion of a total of thirteen (13) continuing education credits.

5. The Board, at its January 2009, granted the respondent a six (6) month extension to fulfill the requirement of the completion of fifteen (15) continuing education credits. He/She has now submitted documentation that demonstrates that he/she has satisfied the requirement but not within the time period required by law.

CONCLUSIONS OF LAW

1. Respondent failed to satisfy the requirements of N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1(a) with regard to the timely completion of the required number of continuing education credits for the 2008-2010 renewal period and is therefore subject to sanctions pursuant to N.J.S.A. 45:1-21(h), namely, the failure to comply with the provisions of an act or regulation administered by the Board. The Board finds that this conduct constitutes grounds for sanction pursuant to N.J.S.A. 45:1-25.

2. Respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provisions of an act or regulation administered by the Board, which constitutes grounds for sanction pursuant to N.J.S.A. 45:1-25.

DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline, which provisionally imposed a formal reprimand and a civil penalty totaling \$200.00, was entered on September 28, 2009, and a copy was served on the respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

As stated earlier, a copy of the Provisional Order was sent to the respondent, via both certified and regular mail, on or about September 29, 2009, to her last known address of record of 383 Inwood Court, Somerset, New Jersey 08873. A review of the Board's records indicate that the green receipt card of the certified mail was received by the Board office and that the regular mail was not returned to the Board office. Additionally, the Board considered the submission of proof of completion of the outstanding continuing education courses and payment of its

intended civil penalty as a response to the Provisional Order from the respondent.

This matter was considered by the Board at its November 2009, meeting. Following its review of this matter, the Board concluded that it has met its obligation of proving service by mailing of the proper documents to the certificate holder's address of record filed with the Board. Additionally, the Board concluded that the respondent had complied with the Board's directives and submitted proof of completion of the required continuing education credits as required by N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1(a). Moreover, the Board concluded that the respondent did not provide any compelling reasons why the preliminary findings detailed in the September 28, 2009 Provisional Order should be vacated or modified in any way. Finally, the Board determined that further proceedings were not necessary and that respondent cannot evade process by not responding to it and that no material discrepancies had been raised. Thus, the Board voted to finalize the Provisional Order without modification.

ACCORDINGLY, IT IS on this 15th day of March

MARCH 2010 ORDERED that:


1. Respondent Amy Stryker, C.C.R., is hereby formally reprimanded for failing to timely complete the required number of

continuing education credits, in violation of N.J.S.A. 45:1-21(h), N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1(a).

2. Ms. Stryker is hereby assessed a civil penalty in the amount of **\$200.00** for failing to complete the required number of continuing education credits during the preceding biennial period, in violation of N.J.S.A. 45:1-21(h), N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1.

NEW JERSEY STATE BOARD
OF COURT REPORTING

By:



MARIANNE CAMMAROTA, C.C.R.
President